

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

## **STIPULATION AND ORDER REGARDING REVISED SCHEDULING ORDER DATES**

WHEREAS, pursuant to the Court's August 2, 2024 Oral Order (D.I. 273), the parties have further conferred on a revised case schedule and dispositive motion procedures and have selected the third option proposed by the Court in its Oral Order;

WHEREAS, the parties have agreed that good cause exists for the following modifications to the case schedule pursuant to Federal Rule of Civil Procedure 16(b)(4)<sup>1</sup>; and

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, and subject to the approval of the Court, that the following deadlines are amended as follows:

<b>Event</b>	<b>Current Deadline</b>	<b>Revised Deadline</b>
Close of fact discovery for Defendants <sup>2</sup>	June 28, 2024	No change

<sup>1</sup> Pursuant to D. Del. LR 16.4, the undersigned counsel hereby certifies that this stipulation has been sent to counsel's respective clients.

<sup>2</sup> Between June 28, 2024 and August 23, 2024, Defendants (1) are not foreclosed from following up on issues Defendants have raised with respect to CosmoKey's infringement contentions, invalidity contentions, and June 28, 2024 discovery responses and (2) may complete the third-party discovery that was noticed and served (D.I. 201, 202). Defendants are further permitted to supplement their discovery responses and disclosures through August 23, 2024.

Event	Current Deadline	Revised Deadline
Close of fact discovery for CosmoKey	June 28, 2024	August 23, 2024
Opening expert reports on issues to which a party bears the burden	July 26, 2024	September 20, 2024
Rebuttal expert reports	August 30, 2024	October 18, 2024
Reply expert reports	September 27, 2024	November 12, 2024
Close of expert discovery	October 25, 2024	December 6, 2024
Earliest that 3-page letter motions for leave to file motions for summary judgment may be filed	N/A	December 6, 2024
<i>Daubert</i> motions	November 29, 2024	December 20, 2024
Deadline to file 3-page letter motions for leave to file motions for summary judgment	N/A	January 10, 2025
<i>Daubert</i> opposition briefs	January 7, 2025	January 17, 2025
<i>Daubert</i> reply briefs	January 21, 2025	January 31, 2025
Joint proposed pretrial order, as well as <i>in limine</i> motions, jury instructions, voir dire, and verdict form	April 30, 2025	No change
Final pretrial/scheduling conference	May 21, 2025	No change
5-day jury trial	June 9, 2025	No change

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IT IS SO ORDERED this 15th day of August, 2024.

Christopher J. Burke  
The Honorable Christopher J. Burke  
United States Magistrate Judge